

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.86 OF 2006

ALONG WITH
CRIMINAL REVISION APPLICATION NO.87 OF 2006

Shri.Vivekanand V. Vernekar ...Petitioner.

Versus

1.Shri.Salim Abalal Nadaf, &
2.The State of Maharashtra ...Respondents.

.....
Mr.Umesh R. Mankapure, Advocate for the Petitioner.
Mr.Shriniwas Patwardhan, Adv. for Respondent NO.1.
Mr.Rajesh More, APP, for the State.
.....

CORAM : SMT.V.K.TAHILRAMANI, J.

DATED : 10th April, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused, the learned Advocate for respondent No.1-orig.complainant and the learned APP for the State.

2. The petitioner was convicted by the learned CJM, Sangli by orders dated 11.01.2005 in S.C.C.No.1045 of 2003 and S.C.C.No.1128 of 2003. By the said orders the petitioner was sentenced to suffer RI for one year and to pay an amount of Rs.10

lacs and Rs.11 lacs respectively to the complainant towards compensation. Being aggrieved by the said order, the petitioner filed Appeal No.11 of 2005 and Appeal No.12 of 2005 before the Sessions Court at Sangli. The said appeals came to be dismissed by judgment and order dated 27.01.2006. Being aggrieved by the said order these Revisions have been preferred by the petitioner.

3. During pendency of these Revisions, settlement has been arrived at between the parties. The petitioner has deposited the said sum of Rs.10 lacs and Rs.11 lacs in both the cases in this Court. Rs.11 lacs has already been withdrawn by the complainant and the amount of Rs.10 lacs is lying with the Court. In view of the settlement the complainant is allowed to withdraw the said amount of Rs.10 lacs forthwith. In addition thereto an amount of Rs.50,000/- in each case shall be paid by the petitioner to the complainant by 31st October, 2007 by way of demand draft in the name of complainant.

4. In view of the settlement between the parties, the conviction of the petitioner is set-aside and the petitioner-orig. accused is acquitted in the said

..(3)..

case. It is made clear that if the petitioner fails to pay the said amount of Rs.50,000/- in each case to the complainant by 31st October, 2007, this order shall automatically stand cancelled and the Revisions shall stand revived.

5. With the above observations, Revisions are disposed of.

(SMT.V.K.TAHILRAMANI, J.)